

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

ABB POWER T&D COMPANY, INC.)	
)	
Plaintiff,)	C.A. No. 97-417-MMS
)	
v.)	
)	
LANDIS & GYR UTILITIES SERVICES)	
HOLDING, INC., LANDIS & GYR)	
UTILITIES SERVICES, INC. and)	
ELECTROWATT AG)	
)	
Defendants.)	

[PROPOSED] ORDER

Upon consideration of ELSTER'S MOTION TO ENJOIN LANDIS FROM PROSECUTING ITS DECLARATORY JUDGMENT ACTION, it is hereby ORDERED that said MOTION is DENIED in its entirety.

SO ORDERED this _____ day of _____, 2006

United States District Judge